



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**Federal Highway Administration  
California Division**

August 4, 2009

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Sacramento, CA 95814  
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In Reply Refer To:  
HDA-CA  
Document # S52884

Mr. Andrew T. Chesley, Executive Director  
San Joaquin Council of Governments  
555 East Weber Avenue  
Stockton, CA 95202

Mr. Randell Iwasaki, Director  
California Department of Transportation  
1120 N Street  
Sacramento, CA 95814

Attention: Federal Resources Office, M.S. 82  
For Rachel Falsetti, Division of Transportation Programming

Dear Mr. Chesley and Mr. Iwasaki:

SUBJECT: SJCOG FY 2008/09 FTIP Amendment # 11 and FY 2007 RTP Amendment # 4 and  
Associated Air Quality Conformity Determination

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed the review of Amendment # 11 to the San Joaquin Council of Governments (SJCOG) Federal Transportation Improvement Program (FTIP) and FY 2007 Regional Transportation Plan (RTP) Amendment # 4 and the accompanying required Air Quality Conformity Determination that was submitted by your letter dated May 22, 2009. SJCOG approved the 2008/09 FTIP Amendment # 11, FY 2007 RTP Amendment # 4 and the accompanying Air Quality Conformity Determination on May 7, 2009. This amendment to SJCOG's 2008/09 FTIP and RTP:

- Includes projects with funds from the American Recovery and Reinvestment Act (Recovery Act) of 2009, FTA Section 5308 and the High Priority Program and requires approval of a new conformity determination for all of the MPOs in the San Joaquin Valley.

Pursuant to the July 15, 2004, *Memorandum of Understanding between the Federal Highway Administration, California Division, and the Federal Transit Administration, Region IX*, we accept the modifications to the 2008/09 – 2011/12 Federal Statewide Transportation Improvement Program (FSTIP) and FY 2007 RTP for the SJCOG region in accordance with the Final Rule on Statewide and Metropolitan Transportation Planning published in the February 14, 2007 Federal Register. We find that the SJCOG's 2008/09 FTIP through Amendment # 11 and FY 2007 RTP through Amendment # 4 was



developed through a continuing, cooperative and comprehensive transportation planning process carried out in accordance with the metropolitan planning provisions of 23 U.S.C. 134, and 49 U.S.C. Chapter 53 as amended by Section 6001 of Public Law 109-59, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

This amendment acceptance is pursuant to a joint FHWA and FTA air quality conformity determination for the amended SJCOG FY 2008/09 – 2011/12 FTIP. This joint FHWA/FTA air quality conformity determination for the amended SJCOG FY 2008/09 - 2011/12 FTIP and FY 2007 RTP is required by the Environmental Protection Agency's (EPA) Transportation Conformity Rule, 40 CFR Parts 51 and 93, and the FHWA/FTA Metropolitan Planning Regulations, 23 CFR Part 450.

This finding has been coordinated with EPA Region 9 in accordance with the procedures outlined in the *National Memorandum of Understanding between DOT and EPA on Transportation Conformity*, dated April 25, 2000. Therefore, we find that SJCOG's 2008/09 FTIP through Amendment # 11 and FY 2007 RTP through Amendment # 4 conforms to the applicable State Implementation Plan (SIP) and this conformity determination also applies to the other 7 San Joaquin Valley MPOs (StanCOG, MCAG, MCTC, Fresno COG, TCAG, KCAG and KCOG).

Based on our review of the lists of projects proposed for Recovery Act funding, we recommend that SJCOG encourage the local agencies in the region to work closely with the Caltrans District Local Assistance Engineer (DLAE) to ensure the proposed Recovery Act projects listed in the FTIP/FSTIP are on located on a Federal-aid highway, specifically a highway or highways eligible for assistance under Chapter 1 of 23 U.S.C. other than highways classified as a local road or rural minor collector.

This approval is provided with the understanding that the FTA funding approval on the individual projects contained in the FSTIP are subject to grantees meeting all necessary FTA administrative requirements, and that approval of this programming action does not provide a federal eligibility determination for CMAQ projects or any other project funding source included in this amendment.

If you have questions or need additional information concerning our approval for this SJCOG FSTIP amendment, please contact Scott Carson ([scott.carson@dot.gov](mailto:scott.carson@dot.gov)) of the FHWA California Division office at (916) 498-5029.

Sincerely,

/s/ **Leslie T. Rogers**

/s/ **Steve Luxenberg**

Leslie T. Rogers  
Regional Administrator  
Federal Transit Administration

For  
Walter C. Waidelich, Jr.  
Division Administrator  
Federal Highway Administration

cc: (e-mail)

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cc: (other)

SJCOG TIP Binder



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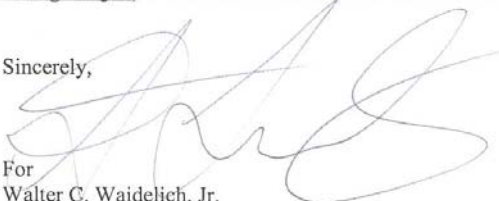
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/s/ Leslie T. Rogers

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